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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/591,753

12/21/2006

Andre Francisco

062970

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38834

7590

04/23/2008

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EXAMINER

JENKINS, JERMAINE L

ART UNIT

PAPER NUMBER

2855

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/591,753	Applicant(s) FRANCISCO ET AL.	
	Examiner JERMAINE JENKINS	Art Unit 2855	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>09012006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7 & 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Panagotopoulos et al (5,796,007).

In regards to claims 1, 7 & 11, Panagotopoulos et al teaches a pressure transducer having a fluid communication path (60, i.e. hydraulic connection), a blind compartment (48, i.e. plenum) that opens onto the communication path (60) via a duct (i.e. open faced cavity - See Column 5, line 8) and is closed off by a membrane 52, i.e. diaphragm) that deforms according to the pressure (P1) in the communication path (60) (Column 5, lines 6-27 & lines 39-65; See Figures 1 & 2) and a means (66, 68 & 88, i.e. sensing elements & circuit board) for transmitting a quantity representative of the pressure in the communication path (60) according to the deformation of the membrane (52) (Column 7, lines 2-19; Figure 1), wherein the communication path (60), the duct (i.e. open faced cavity), and the blind compartment (48) are formed in the same rigid part to which the membrane (52) is attached (See Figure 1).

With respect to claim 2, Panagotopoulos et al teaches wherein two communication paths (60, 62) and two blind compartments (48, 50) are formed in the rigid part, each blind compartment (48, 50) opening onto one of the two communication paths (60, 62)

and each being closed off by a membrane (52, 54) attached to the rigid part (Column 5, lines 6-27 & lines 39-65; See Figures 1 & 2).

With respect to claim 3, Panagotopulos et al teaches wherein each blind compartment (48, 50) opens onto each communication path (60, 62) respectively (Column 5, lines 6-27 & lines 39-65; See Figures 1 & 2).

With respect to claim 5, Panagotopulos et al teaches wherein the membrane (52) closes off both the blind compartment (48, 50) and a pressure-transmitting chamber (78, i.e. cavity) connected to the rigid part in order to convert the deformation of the membrane (52) into a pressure representative of the pressure in the communication path (60, 62) (Column 6, lines 13-39; See Figure 1).

With respect to claims 6 & 10, Panagotopulos et al teaches wherein the pressure-transmitting chamber (78) is filled with air in order to convert the deformation of the membrane (52) into an air pressure (See Figures 1 & 2).

With respect to claim 9, Panagotopulos et al teaches wherein the membrane (52) closes off both the blind compartments (48, 50) and a pressure-transmitting chamber (78) connected to the rigid part in order to convert the deformation of the membrane (52) into a pressure representative of the pressure in the communication path (60) (See Figures 1 & 2).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2855

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8 & 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Panagotopoulos et al (5,796,007) in view of Ciolli (5,483,835).

With respect to claims 8 & 12, Panagotopoulos et al teaches the claimed invention except for the rigid part being made of injection-molded plastic. Ciolli teaches a pressure unit body structure (18) being made of plastic (Column 4, lines 50-54). It would have been obvious to one having ordinary skill in the art at the time the invention was made to manufacture any part of a pressure sensor with plastic as taught Ciolli into the pressure sensor of Panagotopoulos et al for the purpose of high resistance of oils and other solvents (Column 7, lines 21-24; Ciolli).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- U.S. Patent 4,782,703 (Nishi) – Temperature Compensated Pressure Signal Generator
- U.S. Patent 4,086,815 (Asano et al) – Device for Use in Sensing Pressures
- U.S. Patent 3,800,413 (Frick) – Differential Pressure Transducer

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JERMAINE JENKINS whose telephone number is (571)272-2179. The examiner can normally be reached on Monday-Friday 9am-530pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jermaine Jenkins
Examiner
Art Unit 2855

/Andre J. Allen/
Patent Examiner,
Art Unit 2855